



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

GLEND A. BAILEY,
Plaintiff,

vs.

FAURECIA, JERRY SAUNDERS, and
CURLY KING,
Defendants.

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CIVIL ACTION NO. 6:09-2013-HFF-WMC

ORDER

This case was filed as a employment discrimination action. Plaintiff is proceeding pro se. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting that the case be dismissed without prejudice due to Plaintiff's failure to bring the case into proper form and her failure to prosecute. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on October 15, 2009, and the Clerk of Court entered Plaintiff's objections to the Report on October 29, 2009.

In her Objections, Plaintiff requests additional time to bring her case into proper form so that she can locate the addresses of two Defendants. She also attached partially completed versions of the documents that the Court previously ordered her to provide.

Because she appears committed to prosecuting this action and because she is proceeding pro se, the Court will grant Plaintiff's request for an extension of time to bring her case into proper form. Thus, through no fault of the Magistrate Judge, the Court declines to adopt the Report and Recommendation.

The case is remanded to the Magistrate Judge for further proceedings consistent with this Order.

IT IS SO ORDERED.

Signed this 3rd day of November, 2009, in Spartanburg, South Carolina.

s/ Henry F. Floyd
HENRY F. FLOYD
UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within 30 days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.